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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/594,774	SHINDO ET AL.
	Examiner	Art Unit	
	MARY ANNE KAY	2426	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>29 September 2006</u>.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-18</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-18</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>29 September 2006</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1-18 are pending in this application.

"Medium" Interpretation

2.   From the specification, the Examiner has determined that the Applicant in accordance with statutory requirements, does not define "medium". The Examiner interprets the term "medium" to be a computer readable medium (hardware disk) that stores computer instructions.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1-7 and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sibley et al. (U.S. Patent 7,302,224, referred to as **Sibley**) in view of Shteyn (U.S. PGPub 2002/0144007 A1, referred to as **Shteyn**) in further view of Kinno et al. (U.S. PGPub 2003/0154217 A1, referred to as **Kinno**).

Claim 1

Sibley teaches:

> a reception unit that receives a currently broadcasted program content and
>
>> trigger information for special reproduction of the program content (**Sibley**
>>
>> C3:8-14; Examiner's Note (EN): Set Top Box);
>
> an accumulation unit that accumulates the program content and trigger
>
>> information (**Sibley** C4:17-20; EN: Examiner interprets that all information
>>
>> is accumulated. ¶ 13. applies);
>
> an accumulated image processing unit that extracts at least a part of the
>
>> accumulated program content, restructures the program content extracted,
>>
>> and outputs the restructured program content (**Sibley** C4:29-36; EN: All or
>>
>> a portion of the digital content may be rebroadcast).

Sibley fails to teach:

> based on the mode information from the trigger information;
>
> a metadata interpretation unit that interprets the trigger information of the
>
>> currently broadcasted or the accumulated program content and outputs
>>
>> mode information for special reproduction;

Shteyn teaches:

> based on the mode information from the trigger information (**Shteyn** ¶ 0031; EN:
>
>> Information in the meta-data enables the user to receive information from
>>
>> the set-top box that has been received from a broadcaster);
>
> a metadata interpretation unit that outputs mode information for special
>
>> reproduction (**Shteyn** ¶ 0031; EN: Information in the meta-data enables

the user to receive information from the set-top box that has been

received from a broadcaster);

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the teachings of **Sibley** with the meta-data

information as taught by **Shteyn** providing information content associated with

the network.

Sibley in view of **Shteyn** fails to teach:

a metadata interpretation unit that interprets the trigger information of the

currently broadcasted or the accumulated program content;

Kinno teaches:

a metadata interpretation unit that interprets the trigger information of the

currently broadcasted or the accumulated program content (**Kinno** ¶ 0026;

EN: Interpretation is done by an information delivery server);

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the teachings of **Sibley** in view of **Shteyn** with the

information delivery server as taught by **Kinno** providing access privileges of the

user implemented based on a search of the user database according to the

received media control request.

Claim 2

Sibley teaches:

wherein the trigger information includes mode information for performing special

reproduction **of at least any one** of <u>interlocked reproduction</u>, replay

reproduction<u>, highlight reproduction</u>, <u>and follow reproduction of a currently</u>

<u>viewed program content</u> (**Sibley** Fig. 2, el. 16, 62, 79, 86; C4:29-36; EN:

All or a portion of the digital content may be "rebroadcast". ¶ 13. applies).

Claim 3

Sibley fails to teach:

a display unit that displays the currently broadcasted or the accumulated

program content and the mode information for special reproduction.

Shteyn teaches:

the mode information (**Shteyn** ¶ 0031; EN: Information in the meta-data enables

the user to receive information from the set-top box that has been

received from a broadcaster);

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the teachings of **Sibley** with the meta-data

information as taught by **Shteyn** providing information content associated with

the network.

Sibley in view of **Shteyn** fails to teach:

a display unit that displays the currently broadcasted or the accumulated

program content for special reproduction.

Kinno teaches:

a display unit that displays the currently broadcasted or the accumulated

program content for special reproduction (**Kinno** Fig. 5, 6, and 7; ¶¶ 0069-

0076; EN: Examiner interprets that a display unit would be available to

view/search the content. ¶ 13. applies).

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the teachings of **Sibley** in view of **Shteyn** with the

display unit as taught by **Kinno** providing a response to a request from the client

to the server for media.

Claim 4

Sibley fails to teach:

wherein the accumulated image processing unit extracts, according to a request

of mode information for special reproduction from a sub-display device

receiving a restructured program content, at least a part of the

accumulated program content based on trigger information received after

the request or the latest trigger information of the request, and outputs the

restructured program content.

Shteyn teaches:

according to a request of mode information for special reproduction from a sub-

display device receiving a restructured program content (**Shteyn** ¶ 0031;

EN: Information in the meta-data enables the user to receive information

from the set-top box that has been received from a broadcaster. Examiner

interprets that there is additional information in meta-data regarding

structure of information to be sent to user. ¶ 13. applies).

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the teachings of **Sibley** with the meta-data

information as taught by **Shteyn** providing information content associated with

the network.

Sibley in view of **Shteyn** fails to teach:

wherein the accumulated image processing unit extracts at least a part of the

accumulated program content based on trigger information received after

the request or the latest trigger information of the request, and outputs the

restructured program content.

Kinno teaches:

wherein the accumulated image processing unit extracts at least a part of the

accumulated program content based on trigger information received after

the request or the latest trigger information of the request, and outputs the

restructured program content (**Kinno** Fig. 16-27; ¶¶ 0118-0170; EN:

Media output depends on the access privileges based on the policies of

the service provider).

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the teachings of **Sibley** in view of **Shteyn** with the

content delivery server as taught by **Kinno** providing a response to a request

from the client to the server for media.

Claim 5

Sibley fails to teach:

wherein the accumulated image processing unit processes and outputs a

program content according to performance of each sub-display device.

a sub-display device management unit that manages terminal information

including a terminal ID and performance of at least one sub-display device

receiving a restructured program content.

Shteyn teaches:

wherein the accumulated image processing unit processes and outputs a

program content according to performance of each sub-display device

(**Shteyn** ¶ 0061; EN: Each device may be different).

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the teachings of **Sibley** with the specific client

configuration as taught by **Shteyn** providing output in accordance with the user's

preferences and the preferred service providers.

Sibley in view of **Shteyn** fails to teach:

a sub-display device management unit that manages terminal information

including a terminal ID and performance of at least one sub-display device

receiving a restructured program content.

Kinno teaches:

> a sub-display device management unit that manages terminal information
>
> including a terminal ID and performance of at least one sub-display device
>
> receiving a restructured program content (**Kinno** Fig. 18, el. 1501; ¶¶
>
> 0126-0131; EN: Examiner interprets the user identification as the terminal
>
> ID. ¶ 13. applies),

Rationale:

> It would have been obvious to one of ordinary skill in the art at the time the
>
> invention was made to modify the teachings of **Sibley** in view of **Shteyn** with the
>
> management unit as taught by **Kinno** providing a process regarding the
>
> information delivery system.

Claim 6

Sibley teaches:

> an input unit that receives an input from a user (**Sidley** C3:54-62; EN: Unit has
>
> button, switches and a menu. ¶ 13. applies);

Sibley fails to teach:

> a reception unit that receives PUSH delivery of a program content restructured
>
> based on the user select information from the accumulation display
>
> device;
>
> a transmission unit that transmits user select information received by the input
>
> unit to the accumulation display device;
>
> a display unit that displays the received and restructured program content.

Shteyn teaches:

>a reception unit that receives PUSH delivery of a program content restructured
>
>based on the user select information from the accumulation display device
>
>(**Shteyn** ¶¶ 0017-0018);

Rationale:

>It would have been obvious to one of ordinary skill in the art at the time the
>
>invention was made to modify the teachings of **Sibley** with the automatic delivery
>
>as taught by **Shteyn** providing privacy and user control on user information
>
>content associated with the network.

Sibley in view of **Shteyn** fails to teach:

>a transmission unit that transmits user select information received by the input
>
>>unit to the accumulation display device;
>
>a display unit that displays the received and restructured program content.

Kinno teaches:

>a transmission unit that transmits user select information received by the input
>
>>unit to the accumulation display device (**Kinno** ¶ 0020; EN: Client
>>
>>generates request that is received at the information server which implies
>>
>>that the mobile data terminal can transmit. ¶ 13. applies);
>
>a display unit that displays the received and restructured program content (**Kinno**
>
>>Fig. 2, el. 100, 101; ¶¶ 0008, 0011; EN: media server delivers media to
>>
>>client terminal which implies that client terminal has a display. Messages

exchanged with media server indicate that the client terminal has a

display. ¶ 13. applies).

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the teachings of **Sibley** in view of **Shteyn** with the

transmitter and display unit as taught by **Kinno** providing for client input to the

accumulation unit.

Claim 7

Sibley teaches:

wherein the reception unit further receives index information associating a

currently broadcasted program content with an index (**Sibley** C3:56-61;

EN: Menu provided. ¶ 13. applies),

the accumulation means further accumulates the index information (**Sibley**

C3:56-61; EN: Menu provided. ¶ 13. applies),

the metadata interpretation unit further interprets the index information (**Sibley**

C3:56-61; EN: Menu provided. ¶ 13. applies), and

the accumulated image processing unit further extracts at least a part of the

program content from the index information based on contents of the

trigger information (**Sibley** C3:56-61; EN: Menu provided. ¶ 13. applies),

Sibley fails to teach:

restructures the program content extracted based on the mode information, and

outputs the restructured program content.

Shteyn teaches:

> restructures the program content extracted based on the mode information, and
>
> outputs the restructured program content (**Shteyn** ¶ 0031; EN: Information
>
> in the meta-data enables the user to receive information from the set-top
>
> box that has been received from a broadcaster. Examiner interprets that
>
> there is additional information in meta-data regarding structure of
>
> information to be sent to user. ¶ 13. applies).

Rationale:

> It would have been obvious to one of ordinary skill in the art at the time the
>
> invention was made to modify the teachings of **Sibley** with the restructuring as
>
> taught by **Shteyn** providing the user to receive the whole content, part of it or a
>
> derivative of it per the instructions.

Claim 16

Sibley teaches:

> a reception unit that receives a currently broadcasted program content and
>
> trigger information for special reproduction of the program content (**Sibley**
>
> C3:8-14; Examiner's Note (EN): Set Top Box);
>
> accumulation means that accumulates the program content and trigger
>
> information (**Sibley** C4:17-20; EN: Examiner interprets that all information
>
> is accumulated. ¶ 13. applies);
>
> a mobile data terminal comprising:

an input unit that receives an input from a user (**Sidley** C3:54-62; EN: Unit has

button, switches and a menu. ¶ 13. applies);

Sibley fails to teach:

outputs mode information for special reproduction;

based on the mode information from the trigger information;

a metadata interpretation unit that interprets the trigger information of the

currently broadcasted or the accumulated program content;

an accumulated image processing unit that extracts at least a part of the

accumulated program content, restructures the program content extracted,

and outputs the restructured program content;

a mobile data terminal comprising:

a reception unit that receives PUSH delivery of a program content restructured

based on the user select information from the accumulation display

device;

a transmission unit that transmits user select information received by the input

unit to the accumulation display device;

a display unit that displays the received and restructured program content.

Shteyn teaches:

outputs mode information for special reproduction (**Shteyn** ¶ 0031; EN:

Information in the meta-data enables the user to receive information from

the set-top box that has been received from a broadcaster);

based on the mode information from the trigger information (**Shteyn** ¶ 0031; EN:

Information in the meta-data enables the user to receive information from

the set-top box that has been received from a broadcaster. Examiner

interprets that there is additional information in meta-data regarding

structure of information to be sent to user. ¶ 13. applies);

a mobile data terminal comprising:

a reception unit that receives PUSH delivery of a program content restructured

based on the user select information from the accumulation display device

(**Shteyn** ¶¶ 0017-0018);

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the teachings of **Sibley** with the delivery and mode

information as taught by **Shteyn** providing privacy and user control on user

information content associated with the network and the correct portion of the

broadcast.

Sibley in view of **Shteyn** fails to teach:

a metadata interpretation unit that interprets the trigger information of the

currently broadcasted or the accumulated program content;

an accumulated image processing unit that extracts at least a part of the

accumulated program content, restructures the program content extracted,

and outputs the restructured program content;

a mobile data terminal comprising:

a transmission unit that transmits user select information received by the input

unit to the accumulation display device;

a display unit that displays the received and restructured program content.

Kinno teaches:

a metadata interpretation unit that interprets the trigger information of the

currently broadcasted or the accumulated program content (**Kinno** ¶ 0026;

EN: Interpretation is done by an information delivery server),

an accumulated image processing unit that extracts at least a part of the

accumulated program content, restructures the program content extracted,

and outputs the restructured program content (**Kinno** Fig. 16-27; ¶¶ 0118-

0170; EN: Media output depends on the access privileges based on the

policies of the service provider), and

a mobile data terminal comprising:

a transmission unit that transmits user select information received by the input

unit to the accumulation display device (**Kinno** ¶ 0020; EN: Client

generates request that is received at the information server which implies

that the mobile data terminal can transmit. ¶ 13. applies);

a display unit that displays the received and restructured program content (**Kinno**

Fig. 2, el. 100, 101; ¶¶ 0008, 0011; EN: media server delivers media to

client terminal which implies that client terminal has a display. Messages

exchanged with media server indicate that the client terminal has a

display. ¶ 13. applies).

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the teachings of **Sibley** in view of **Shteyn** with the

processing and transmitting and display as taught by **Kinno** providing for client

input to the accumulation unit and access privileges of the user implemented

based on a search of the user database according to the received media control

request.

Claim 17

Sibley teaches:

wherein the accumulation display device as a server transmits a restructured

program content to the mobile data terminal via a network (**Sibley**

Abstract).

Claim 18

Sibley teaches:

receiving the currently broadcasted program content and trigger information for

special reproduction of the program content (**Sibley** C3:8-14; Examiner's

Note (EN): Set Top Box);

accumulating the program content and trigger information (**Sibley** C4:17-20; EN:

Examiner interprets that all information is accumulated. ¶ 13. applies);

extracting at least a part of the accumulated program content, restructuring the

program content extracted based on the mode information, and outputting

the restructured program content (**Sibley** C4:29-36; EN: All or a portion of

the digital content may be rebroadcast),

Sibley fails to teach:

based on mode information from the trigger information;

the data terminal comprising the steps of:

receiving PUSH delivery of the program content restructured from the

accumulation display device;

Shteyn teaches:

based on mode information from the trigger information (**Shteyn** ¶ 0031; EN:

Information in the meta-data enables the user to receive information from

the set-top box that has been received from a broadcaster),

the data terminal comprising the steps of:

receiving PUSH delivery of the program content restructured from the

accumulation display device (**Shteyn** ¶¶ 0017-0018);

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the teachings of **Sibley** with the delivery and mode

information as taught by **Shteyn** providing privacy and user control on user

information content associated with the network and the correct portion of the

broadcast.

Sibley in view of **Shteyn** fails to teach:

displaying the received and restructured program content;

Kinno teaches:

> displaying the received and restructured program content (**Kinno** ¶ 0020; EN:
>
> > Client generates request that is received at the information server which
> >
> > implies that the mobile data terminal can transmit. ¶ 13. applies).

Rationale:

> It would have been obvious to one of ordinary skill in the art at the time the
>
> invention was made to modify the teachings of **Sibley** in view of **Shteyn** with the
>
> display as taught by **Kinno** providing for client input to the accumulation unit

Claim Rejections - 35 USC § 103

5.   Claims 8-9 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable

over **Sibley** in view of **Kinno** in further view of Gardere et al. (U.S. Patent 6,678,332,

referred to as **Gardere**) in further view of Zander et al. (U.S. Patent 6,360,218, referred

to as **Zander**).

Claim 8

Sibley fails to teach:

> start time data of the corresponding program, and finish time data of the
>
> > corresponding program;
>
> wherein the index information includes a program ID for identifying a program
>
> > corresponding to the index information;
>
> an ID for identifying the index information.

Kinno teaches:

start time data of the corresponding program, and finish time data of the

corresponding program (**Kinno** ¶ 0010; EN: Start time and Finish time

retrieved).

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the teachings of **Sibley** with the timeframe as

taught by **Kinno** providing information to the client for appropriate scene

retrieval.

Sibley fails to teach:

wherein the index information includes a program ID for identifying a program

corresponding to the index information;

Gardere teaches:

wherein the index information includes a program ID for identifying a program

corresponding to the index information (**Gardere** C26:23-30; EN: The clip

identification attributes are analogous to the attributes in the metadata

index attributes. ¶ 13. applies).

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the teachings of **Sibley** with the program ID as

taught by **Gardere** providing identification of the components in the stream.

Sibley fails to teach:

an ID for identifying the index information.

Zander teaches:

> an ID for identifying the index information (**Zander** C8:3-5; EN: Record Identifier
>
> analogous with index number of program in index),

Rationale:

> It would have been obvious to one of ordinary skill in the art at the time the
>
> invention was made to modify the teachings of **Sibley** with the index number as
>
> taught by **Zander** providing an ordered index which can be used by the client.

Claim 9

Sibley fails to teach:

> wherein the index information further includes meaning information describing
>
> > contents of a program content specified by an index at a keyword level.

Kinno teaches:

> wherein the index information further includes meaning information describing
>
> > contents of a program content specified by an index at a keyword level
> >
> > (**Kinno** ¶ 0021).

Rationale:

> It would have been obvious to one of ordinary skill in the art at the time the
>
> invention was made to modify the teachings of **Sibley** with the description as
>
> taught by **Kinno** providing information for the client.

Claim 11

Sibley fails to teach:

> mode information for identifying the trigger information;

thereby specifying timing transmitting at least a part of the program content to the

mobile data terminal;

wherein the trigger information includes a program ID for identifying a program

corresponding to the trigger information;

a specified index ID for identifying specified index information.

Shteyn teaches:

mode information for identifying the trigger information (**Shteyn** ¶ 0031; EN:

Information in the meta-data enables the user to receive information from

the set-top box that has been received from a broadcaster. Examiner

interprets that there is additional information in meta-data regarding

structure of information to be sent to user. ¶ 13. applies),

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the teachings of **Sibley** with the meta-data

information as taught by **Shteyn** providing information content associated with

the network.

Sibley fails to teach:

thereby specifying timing transmitting at least a part of the program content to the

mobile data terminal.

Kinno teaches:

thereby specifying timing transmitting at least a part of the program content to the

mobile data terminal (**Kinno** ¶ 0010; EN: Start time and Finish time

retrieved).

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the teachings of **Sibley** with the timeframe as

taught by **Kinno** providing information to the client for appropriate scene

retrieval.

Sibley fails to teach:

wherein the trigger information includes a program ID for identifying a program

corresponding to the trigger information.

Gardere teaches:

wherein the trigger information includes a program ID for identifying a program

corresponding to the trigger information (**Gardere** C26:23-30; EN: The clip

identification attributes are analogous to the attributes in the metadata

index attributes.¶ 13. applies).

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the teachings of **Sibley** with the program ID

as taught by **Gardere** providing identification of the components in the

stream.

Sibley fails to teach:

a specified index ID for identifying specified index information.

Zander teaches:

a specified index ID for identifying specified index information (**Zander** C8:3-5;

EN: Record Identifier),

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the teachings of **Sibley** with the index

number as taught by **Zander** providing an ordered index which can be

used by the client.

Claim Rejections - 35 USC § 103

6.   Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Sibley**

in view of **Shteyn** in further view of **Kinno** in further view of **Gardere**.

Claim 10

Sibley fails to teach:

mode information for identifying the trigger information.

start time specifying an extracted scene, and extraction time, thereby specifying

timing transmitting at least a part of the program content to the mobile

data terminal;

wherein the trigger information includes one or more of a program ID for

identifying a program corresponding to the trigger information.

Shteyn teaches:

mode information for identifying the trigger information (**Shteyn** ¶ 0031),

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the teachings of **Sibley** with the meta-data

information as taught by **Shteyn** providing information content associated with

the network.

Sibley fails to teach:

start time specifying an extracted scene, and extraction time, thereby specifying

timing transmitting at least a part of the program content to the mobile

data terminal,

wherein the trigger information includes one or more of a program ID for

identifying a program corresponding to the trigger information.

Kinno teaches:

start time specifying an extracted scene, and extraction time, thereby specifying

timing transmitting at least a part of the program content to the mobile

data terminal (**Kinno ¶¶ 0089-0092**).

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the teachings of **Sibley** with the times as taught by

Kinno providing verification of the sequence information according to a request

of the controlling media received from client terminal.

Sibley fails to teach:

>> wherein the trigger information includes one or more of a program ID for
>>
>> identifying a program corresponding to the trigger information.

Gardere teaches:

>> wherein the trigger information includes one or more of a program ID for
>>
>> identifying a program corresponding to the trigger information (**Gardere**
>>
>> C26:23-30; EN: ¶ 13. applies).

Rationale:

>> It would have been obvious to one of ordinary skill in the art at the time the
>>
>> invention was made to modify the teachings of **Sibley** with the program ID as
>>
>> taught by **Gardere** providing program information identification numbers to allow
>>
>> the appropriate viewing according to the authorization of the client.

Claim Rejections - 35 USC § 103

7.   Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Sibley**
in view of **Kinno** in further view of Munetsugu et al. (U.S. Patent 7,134,074, referred to
as **Munetsugu**).

<u>Claim 12</u>

Sibley fails to teach:

>> wherein the trigger information further includes meaning information describing a
>>
>> program content associated with index information at a keyword level;
>>
>> grading index information of weight of the meaning information according to a
>>
>> degree of importance of the program content.

Kinno teaches:

wherein the trigger information further includes meaning information describing a

program content associated with index information at a keyword level

(**Kinno** ¶ 0021),

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the teachings of **Sibley** with the keywords as

taught by **Kinno** providing information for the client.

Sibley fails to teach:

grading index information of weight of the meaning information according to a

degree of importance of the program content.

Munetsugu teaches:

grading index information of weight of the meaning information according to a

degree of importance of the program content (**Munetsugu** C5:49-C6:22;

EN: Importance of partial program taken into account during restructuring).

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the teachings of **Sibley** with the Importance as

taught by **Munetsugu** providing importance information based on criteria

concerning the client that is decided at the broadcaster.

Claim Rejections - 35 USC § 103

8.   Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Sibley**

in view of Schrader et al. (U.S. PGPub 2002/0166123 A1, referred to as **Schrader**).

Claim 15

Sibley fails to teach:

> wherein the trigger information includes accumulation instruction information
>
> instructing accumulation of the corresponding program content.

Schrader teaches:

> wherein the trigger information includes accumulation instruction information
>
> instructing accumulation of the corresponding program content (**Schrader**
>
> ¶ 0128; EN: Data alert is analogous with instruction to link additional
>
> programming).

Rationale:

> It would have been obvious to one of ordinary skill in the art at the time the
>
> invention was made to modify the teachings of **Sibley** with the instruction to link
>
> additional programming as taught by **Schrader** providing the programming as a
>
> package to the client.

Claim Rejections - 35 USC § 103

9.   Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable

over **Sibley** in view of Hoshino et al. (U.S. PGPub 2004/0249861 A1, referred to as

Hoshino) in further view of **Munetsugu**.

Claim 13

Sibley fails to teach:

wherein the accumulated image processing unit adds, to the restructured

program content, superimpose information displayed as an image

separate from the program content, and

changes and restructures time of each partial program content at restructuring

the partial program content based on meaning information included in the

trigger information and the index information

Hoshino teaches:

wherein the accumulated image processing unit adds, to the restructured

program content, superimpose information displayed as an image

separate from the program content (**Hoshino** ¶¶ 0207-208; EN: Metadata

converted to video data for superimposition).

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the teachings of **Sibley** with the metadata as

taught by **Hoshino** providing synthesized video signal for the client.

Sibley fails to teach:

changes and restructures time of each partial program content at restructuring

the partial program content based on meaning information included in the

trigger information and the index information.

Munetsugu teaches:

changes and restructures time of each partial program content at restructuring

the partial program content based on meaning information included in the

trigger information and the index information (**Munetsugu** C5:49-C6:22;

EN: Importance of partial program taken into account during restructuring).

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the teachings of **Sibley** with the importance as

taught by **Munetsugu** providing importance information based on criteria

concerning the client that is decided at the broadcaster.

Claim 14

Sibley fails to teach:

wherein the superimpose information is generated using any of meaning

information of trigger information, a trigger name, and meaning information

of index information.

Hoshino teaches:

wherein the superimpose information is generated using any of meaning

information of trigger information, a trigger name, and meaning information

of index information (**Hoshino** ¶¶ 0207-208; EN: Metadata converted to

video data for superimposition).

Rationale:

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the teachings of **Sibley** with the metadata as

taught by **Hoshino** providing synthesized video signal for the client.

Examination Considerations

10.   The claims and only the claims form the metes and bounds of the invention.

"Office personnel are to give the claims their broadest reasonable interpretation in light

of the supporting disclosure. *In re Morris*, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023,

1027-28 (Fed. Cir. 1997). Limitations appearing in the specification but not recited in the

claim should not be read into the claim. *In re Prater*, 415 F.2d 1393, 1404-05, 162

USPQ 541, 550-551 (CCPA 1969) (MPEP p 2100-8, c 2, l 45-48; p 2100-9, c 1, l 1-4).

The Examiner has full latitude to interpret each claim in the broadest reasonable sense.

Examiner will reference prior art using terminology familiar to one of ordinary skill in the

art. Such an approach is broad in concept and can be either explicit or implicit in

meaning.

11.   Examiner's Notes are provided with the cited references to prior art to assist the

applicant to better understand the nature of the prior art, application of such prior art

and, as appropriate, to further indicate other prior art that maybe applied in other office

actions. Such comments are entirely consistent with the intent and spirit of compact

prosecution. However, and unless otherwise stated, the Examiner's Notes are not prior

art but a link to prior art that one of ordinary skill in the art would find inherently

appropriate.

12.   Unless otherwise annotated, Examiner's statements are to be interpreted in

reference to that of one of ordinary skill in the art. Statements made in reference to the

condition of the disclosure constitute, on the face of it, the basis and such would be

obvious to one of ordinary skill in the art, establishing thereby an inherent prima facie

statement.

13.   Examiner's Opinion: ¶¶ 10.-12. apply. The Examiner has full latitude to interpret

each claim in the broadest reasonable sense.

Conclusion

14.   The prior art of record and not relied upon is considered pertinent to Applicant's

disclosure.

        - Falvo et al., U.S. PGPub 2003/0140343 A1 I

        - Nagaoka et al., U.S. PGPub 2002/0137496 A1 I

        - Derrenberger, U.S. PGPub 2007/0198414 A1

        - Goto, U.S. PGPub 2006/0020991 A1

        - Nagaoka et al., U.S. PGPub 2002/0152091 A1 I

        - Bisdikian et al., U.S. PGPub 2004/0117857 A1 I

        - Hamano et al., U.S. PGPub 2002/0166127 A1 I

        - Janik et al., U.S. PGPub 2005/0258806 A1 I

        - Slotznick, U.S. PGPub 2005/0282582 A1 I

        - Shachar et al., U.S. Patent 7,283,154 B2 I

        - Sibley, U.S. PGPub 2001/0039664 A1 I

        - Sibley, U.S. PGPub 2001/0039663 A1 I

        - Sibley, U.S. PGPub 2001/0039662 A1 I y

- Sibley, U.S. PGPub 2001/0053700 A1 I

- Ellis et al., U.S. Patent 7,171,174 B I

- Nakatsuyama, U.S. PGPub 2004/0123333 A1 I

- Ter Horst et al., U.S. PGPub 2006/0031288 A1 I

- Mueller et al., U.S. PGPub 2006/0184977 A1 I

- Levy et al., U.S. PGPub 2003/0021441 A1 I

- Kagemoto et al., U.S. PGPub 2003/0003861 A1 I

- Yamada et al., U.S. Patent 6,370,316 B1 I

- Matsui, U.S. PGPub 2001/0018769 A1 I

- Lavallee et al., U.S. Patent 5,737,552 A I

- Nejime et al., U.S. Patent 7,272,843 B1 I

- Li et al., U.S. Patent 6,631,496 B1 I

15.   Claims 1-18 are rejected.

Correspondence Information

16.   Any inquiry concerning this communication or earlier communications from the

Examiner should be directed to MARY ANNE KAY whose telephone number is

(571)270-5677. The Examiner can normally be reached on Monday - Friday, 8:00 AM -

5:00 PM, EST.

        As detailed in MPEP 502.03, communications via Internet e-mail are at the

discretion of the Applicant. Without a written authorization by Applicant recorded in the

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U.S.C. 122. A paper copy of such correspondence will be placed in the appropriate

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> Notwithstanding the lack of security with Internet Communications, I hereby authorize the USPTO
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> mail. I understand that a copy of such communications related to formal submissions will be
> made of record in the applications file.

If attempts to reach the examiner by telephone are unsuccessful, the Examiner's

supervisor, Joseph Hirl can be reached on (571)272-3685. Any response to this office

action should be mailed to:

> Commissioner of Patents and Trademarks,
>
> Washington, D. C. 20231;

Hand delivered to:

> Receptionist,
>
> Customer Service Window,
>
> Randolph Building,
>
> 401 Dulany Street,
>
> Alexandria, Virginia 22313,
>
> (located on the first floor of the south side of the Randolph Building);

or faxed to:

> (571)273-8300 (for formal communications intended for entry).

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Business Center (EBC) at 866-217-9197 (toll-free).

Mary Anne Kay
Examiner

/Joseph P. Hirl/
Supervisory Patent Examiner, Art Unit 2426
November 9, 2009